

## **ITEM: 15**

### **SUBJECT**

United States Army Corps of Engineers, South Sacramento Habitat Conservation Plan,  
Sacramento County

### **BOARD ACTION**

Consideration of Adoption of General Order for Waste Discharge Requirements and  
Clean Water Act Section 401 Water Quality Certification for the South Sacramento  
Habitat Conservation Plan Regional General Permit 15

### **BACKGROUND**

The 317,655-acre South Sacramento Habitat Conservation Plan (SSHCP) is a regional approach to address issues related to planned development and species habitat conservation following a comprehensive conservation strategy over a 50-year period. The SSHCP covers 28 species of plants and wildlife, including 11 that are state and/or federally listed as threatened or endangered. The purpose of the SSHCP Regional General Permit 15 (RGP15) is to authorize proposed SSHCP In-Lieu Fee (ILF) Program projects under Section 404 of the Clean Water Act.

The proposed ILF projects will be approved by the Interagency Review Team (IRT), comprised of the United States Army Corps of Engineers (USACE), United States (U.S.) Environmental Protection Agency, Central Valley Water Board, U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife. These projects will be developed within the SSHCP's interconnected preserve system and will provide compensatory mitigation in-lieu fee credits for activities authorized under USACE SSHCP Letter of Permission, the SSHCP Programmatic General Permit, and the SSHCP Abbreviated Standard Permit. An individual project covered under the SSHCP RGP15 and authorized under the proposed Order may not result in a reduction of aquatic resource functions and services.

The USACE issued the SSHCP RGP15 to authorize certain Covered Activities conducted under the SSHCP ILF Program that require USACE permits under Section 404 of the Clean Water Act, to eliminate the need for the ILF Program sponsor to seek separate review from the USACE for individual projects that are applicable for the SSHCP RGP15, and to expedite review of certain Covered Activities through other programmatic elements. The SSHCP RGP15 will increase certainty, reduce time, and improve efficiency for the Enrollee through synergies with processes implemented by local jurisdictions, such as those associated with land use entitlements, while protecting, enhancing, and increasing aquatic resources. Activities covered under the SSHCP RGP15 are substantially similar in nature and would result in a net beneficial gain in aquatic resources.

The tentative Order was issued for a 30-day public comment period on 21 June 2019 with comments due by 22 July 2019

## **RECOMMENDATION**

Adopt proposed General Order for Waste Discharge Requirements and Clean Water Act  
Section 401 Water Quality Certification.

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Mgmt. Review: \_\_\_\_\_

Legal Review: \_\_\_\_\_

1/2 August 2019

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